

REMARKS

Favorable reconsideration and allowance of this application are requested.

As a procedural note, the present amendment is being filed concurrently with a formal Request for Continued Examination (RCE) under 37 CFR §1.114. Accordingly withdrawal of the "finality" of the July 26, 2007 Official Action is in order so as to allow entry and consideration of the amendments and remarks presented herewith.

I. Discussion of Claim Amendments

By way of the amendment instructions above, claims 1-7 have been cancelled, claim 8 amended and new claims 9-13 presented for examination. Thus, following entry, claims 8-13 will remain pending in this application.

It will be observed that the amended version of claim 8 now clarifies that a "stabilizer (C)" is a required component of the composition. Claims 9-13 are based substantively on prior claims 2-6 but are dependent on the amended version of claim 8.

II. Response to 35 USC §112 Rejection

The cancellation of prior claim 7 renders moot the Examiner's rejection advanced under 35 USC §112, first paragraph.

III. Response to 35 USC §103(a) Rejection

Prior claim 8 attracted a rejection under 35 USC §103(a) as allegedly being "obvious" and hence unpatentable over Kashihara (USP 5,183,860) in view of Anada (USP 5,777,019). Applicants respectfully disagree.

Applicant notes that the present invention is novel in several respects. For example, the present invention is novel in that a polyacetal composition is provided

which **consists of** two distinct types of polyacetal resins, namely polyacetal resins (A1) and (A2), in combination with a glass inorganic filler component (B) and a stabilizer (C). The claimed composition is also especially characterized by the requirement that polyacetal resins (A1) and (A2) are present in a specified ratio with respect to one another. These features, which are precisely those defined in the pending claims herein, provide for compositions that have unexpectedly improved mechanical properties, such as tensile strength and tensile elongation. The Examiner is further invited to re-read the specification as originally filed, especially pages 8 and 9, as well as the data presented with respect to Examples 1-14 and Comparative Examples 1-11.

Turning attention to the applied references of record, applicant notes that Kashihara discloses a mixture of a low hydroxyl-containing polyacetal (LHC) and a high hydroxyl-containing polyacetal (HHC) and the incorporation of a thermoplastic polyurethane so as to improve the resulting composition's impact strength. The combination of LHC with HHC is shown by Kashihara to improve impact strength, weld strength and appearance which is damaged by peeling-off of the polyacetal from polyurethane.

Significantly, Kashihara, fails to disclose or suggest the incorporation of a glass filler to improve mechanical strength. It should especially be noted in this regard that examples of Kashihara show no improvement of mechanical strength such as tensile strength, compared with the comparative examples, even by the combination of LHC with HHC.

Thus, an ordinarily skilled person would not have expected to achieve improved mechanical strength properties from Kashihara by the combination of LHC and HHC alone, but instead would be directed to the necessity of incorporating a polyurethane therewith as a required indispensable component. Independent claim 8 thus specifically **excludes** polyurethane from the compositions of the present invention. Specifically, polyurethane is excluded from claim 8 by virtue of the "consisting of" preamble

language. Moreover, applicant notes that the presence of polyurethane in the compositions of the present invention, while resulting perhaps in a slight increase in impact strength, may exhibit a slight decrease in the tensile strength and elastic modulus properties. Moreover, the presence of polyurethane would be disadvantageous in view of strength and rigidity when added in such a large amount that would be required in order to actually see an improvement in elongation and impact resistance properties.

Anada fails to cure the deficiencies of Kashihara discussed above. In this regard, applicant notes that Anada discloses a polyacetal mixed with a glass filler to improve mechanical strength and then with a boric acid compound so as to further improve it better. True, Anada shows surface treatment of the glass filler with a silane compound. However, Anada does not direct an ordinarily skilled person to expect mechanical strength improvements when glass filler is compounded with LHC and HHC as is the case with the present invention. Thus, an ordinarily skilled person would not be motivated to combine the Kashihara and Anada references in the manner asserted by the Examiner.

Withdrawal of the rejection advanced under 35 USC §103(a) based on Kashihara and Anada is therefore in order.

III. Information Disclosure Statement

Pursuant to 37 CFR §1.97(c), the Examiner's attention is directed to the accompanying EPO Search Report dated August 1, 2007 and to the publications cited therein. A form listing such publications is attached and is accompanied by copies of the non-US publications.

Rule 97(e) Statement: The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in a

KAWAGUCHI
Serial No. 10/540,142
October 15, 2007

communication from a foreign patent office in a counterpart foreign application on August 1, 2007, which is not more than three (3) months prior to the filing of this information disclosure statement.

Consideration of this information is requested.

IV. Fee Authorization

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: /Bryan H. Davidson/
Bryan H. Davidson
Reg. No. 30,251

BHD:dib
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100